IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL MISC. APPEAL No. 175 of 2005

HAKIM KHAN & ORS
V/S
OMPRAKASH & ORS

Mr. BK MEHAR, for the appellant / petitioner

Date of Order : 16.3.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

It is contended that the amount awarded is inadequate. I have perused the finding of the learned trial Court. While deciding issue No.4, in para 21 onwards, the learned trial Court has found the income of the deceased to be Rs.3000/- per month. The deceased was said to be engaged in the job of driving the jeep. His licence has been produced as Ex.7. Of course, the father of the deceased has deposed that he was earning Rs.5000/- per month being employed with Punaram, but then neither Punaram has been examined, nor any evidence has been produced in the form of similar employees to show that the person employed like the deceased used to get Rs.5000/- per month during the relevant period. In such circumstances, I do not find any error in the finding recorded by the learned trial Court assessing the income at Rs.3000/- per month. Learned counsel has not been able to show, as to how the multiplier employed, or the other amounts assessed, require interference by this Court.

The appeal thus has no force, and is dismissed summarily.

(N P GUPTA),J.

/tarun/